

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:12 CR 27-3**

UNITED STATES OF AMERICA,)	
)	
Vs.)	ORDER
)	
EZEQUIEL LEAL GARCIA,)	
)	
Defendant.)	
_____)	

THIS MATTER has come before the undersigned pursuant to a document entitled "Aftercare Provider Information" provided by the JFK ADATC Treatment Center located in Black Mountain, North Carolina. On October 4, 2012 the undersigned had released Defendant on terms and conditions of release (#33). The terms and conditions of release provided that Defendant was to participate in a drug and alcohol treatment program and after Defendant's completion of the program the undersigned would consider whether or not Defendant should continue to be released on terms and conditions of release. The Defendant was admitted to treatment on October 4, 2012. On October 25, 2012 Defendant was discharged from the treatment program due to his verbally threatening another patient. The undersigned conducted a hearing concerning whether or not Defendant should continue to be allowed to be released on terms and conditions of release on October 26, 2012. At that time, Defendant appeared with his counsel Noel Tin. Defendant's counsel advised the

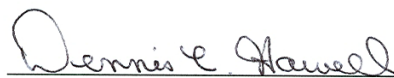
Court that the Defendant desired to consent to detention. A review of the file shows that the undersigned revoked the terms and conditions of pretrial release of Defendant by an Order (#31) which was filed on October 3, 2012. The undersigned then released Defendant to participate in drug and alcohol treatment. The Defendant has not completed the treatment and has been expelled from the treatment facility.

Based upon the findings as set forth previously by the Court in the Order revoking terms and conditions of pretrial release, and based upon Defendant being expelled from the treatment facility and with the consent of Defendant and his attorney, the undersigned will enter an Order revoking the terms and conditions of pretrial release in this matter and order that Defendant be detained.

ORDER

IT IS, THEREFORE, ORDERED that the unsecured bond and terms and conditions of pretrial release entered in this matter are hereby **REVOKED** and it is **ORDERED** Defendant be detained pending further proceedings in this matter.

Signed: November 6, 2012

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Dennis L. Howell
United States Magistrate Judge

